



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of: PiTCHER, David E.**

**Serial No.: 10/616,474**

**Filed: 07/09/2003**

**For: Octahedral Puzzle Apparatus**

**Examiner: WONG, Steven B.**

**Art Unit: 3711**

**Att'y. Docket No.: Pitcher-1**

I hereby certify that this document and all documents enclosed herewith are being sent to the Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, via First Class Mail on 28 January 2005, name: D.N. Halgren, signed:

Hon. Commissioner for Patents

Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF FEE DEFICIENCY**

Dear Examiner WONG:

In response to the Legal Instruments Examiner's letter dated 01/06/2005 in regard to a "Fee Deficiency" in the above-identified pending U.S. Patent Application, enclosed please find:

- Copy of Notice of Fee Deficiency dated 01/06/2005;
- Check for \$5.00 to bring total for Extension of time to \$60.00;
- Green Copy of U.S. Patent & Trademark Office fee schedule indicating fees due to be \$55.00, not \$60.00; and
- Return Postcard.

02/02/2005 ZJUHA1 00000007 10616474

01 FC:2251

60.00 OP

35 Central Street; Manchester, MA 01944

Respectfully submitted,

Donald N. Halgren

Applicant's rep.

Reg. No. 27056

ph: 978-526-8000

Adjustment date: 02/02/2005 ZJUHA1  
12/21/2004 HAL111 00000033 10616474  
01 FC:1999 -55.00 OP



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,474	07/09/2003	David E. Pitcher	PITCHER-I	9612
7590	01/06/2005			
Donald N. Halgren 35 Central Street Manchester, MA 01944			EXAMINER WONG, STEVEN B	
			ART UNIT	PAPER NUMBER
			3711	
DATE MAILED: 01/06/2005				

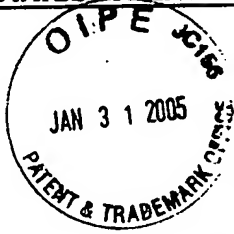


Please find below and/or attached an Office communication concerning this application or proceeding.



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov



Paper No. 1

## NOTICE OF FEE DEFICIENCY

The informality regarding the payment of the fee is indicated below in connection with

- ☐ the original filing of the application and/or preliminary amendment (e.g. additional claim fees)
- ☒ the reply filed on 12-16-04 . The reply is not fully responsive to the prior Office action because of the following matter(s). See 37 CFR 1.111 and 37 CFR 1.135.

### FEE(S) DUE

- ☐ 1. The reply (e.g., amendment) is considered incomplete in that the funds in Deposit Account No. \_\_\_\_\_ are insufficient to cover the entire fee due. The balance\* is due within the time period set below.
- ☐ 2. The reply (e.g., amendment) is considered incomplete in that the Credit Card payment to cover the entire fee due to Account \_\_\_\_\_ (Card type + last 4 digits ONLY) was refused.
- The balance\* is due within the time period set below.
- ☐ 3. The reply (e.g., amendment) has not been entered, since applicant has failed to remit (or authorize charge to a Deposit Account or Credit Card) the fee as indicated on the attached Patent Application Fee Determination Record. Remittance or authorization is due within the time period set below.
- ☐ 4. The filing fee of \$ \_\_\_\_\_ submitted in this application is insufficient.  
A balance of \$ \_\_\_\_\_ is due for presentation of excess claims (37 CFR 1.16(b) & (c)).
- ☒ 5. Other.

Explanation (Provide specific details of the required correction in order to assist the applicant. Indicate whether a service charge has been added to the fee due):

Ext. of Time is \$60 you sent in \$5.  
Please send in \$5.

APPLICANT IS GIVEN A TIME PERIOD OF ONE (1) MONTH or THIRTY (30) DAYS FROM THE MAILING DATE OF THIS NOTICE, WHICHEVER IS LONGER, WITHIN WHICH TO REMIT THE FEE IN ORDER TO AVOID ABANDONMENT. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.

THE INDICATED AMOUNT OF THE FEE(S) DUE IS SUBJECT TO CHANGE YEARLY ON OCTOBER 1 (37 CFR 1.16 & 1.21). THE AMOUNT OF THE FEE(S) DUE IS DETERMINED AS OF THE DATE A COMPLETE REPLY IS RECEIVED BY THE OFFICE (37 CFR 1.8 & 1.10). BECAUSE THE AMOUNT DUE IS NOT NECESSARILY THE FEE INDICATED ABOVE, IT IS RECOMMENDED THAT APPLICANT CHECK THE CURRENT FEE SCHEDULE WHICH IS POSTED ON THE USPTO'S WEBSITE AT: <http://www.uspto.gov/web/offices/ac/qs/ope/fees.htm>

**\*Service Charges:** There is a \$50 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21(m)). There is a \$25.00 service charge for each month when the balance of a deposit account is below \$1000 at the end of the month (37 CFR 1.21(b)(2)).

Nicole Patterson Smith  
Legal Instruments Examiner (LIE) or Clerk of Group

Inquires regarding this Notice should be addressed to the above at 571-272-4381 (insert Phone Number).